

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
RICHMOND DIVISION**

In re:)	Chapter 11
)	
THE FREE LANCE-STAR PUBLISHING CO.)	
OF FREDERICKSBURG, VA <u>et al.</u> ¹ ,)	Case No. 14-30315-KRH
)	
)	(Jointly Administered)
Debtors.)	

**MOTION OF THE DEBTORS FOR AN ORDER AUTHORIZING CHANGING THE
CAPTION IN THE DEBTORS' JOINTLY ADMINISTERED CASES**

The above-captioned debtors and debtors-in-possession (collectively, the “Debtors”), by their undersigned counsel, file this motion (the “Motion”) for entry of an order, the proposed form of which is attached as Exhibit A, pursuant to section 105(a) of title 11 of the United States Code, 11 U.S.C. §§ 101–1532 (as amended, the “Bankruptcy Code”) and Rules 1005, 2002(m) and 2002(n) of the Federal Rules of Bankruptcy Procedure (the “Bankruptcy Rules”), authorizing changing the caption of the Debtors’ jointly administered cases. In support of this Motion, the Debtors submit as follows:

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Counsel for Debtors

¹ The last four digits of the Debtors’ respective taxpayer identification numbers are The Free Lance-Star Publishing Co. of Fredericksburg, VA (6580); and William Douglas Properties, LLC (2609). The Debtors’ address is 616 Amelia Street Fredericksburg, VA 22401.

I. Jurisdiction And Venue

1. On January 23, 2014 (the “Petition Date”), each of the Debtors filed with the Court its voluntary petition for relief under chapter 11 of the Bankruptcy Code, commencing the above-captioned chapter 11 cases.

2. The Debtors continue to operate their businesses and manage their properties as debtors-in-possession pursuant to sections 1107(a) and 1108 of the Bankruptcy Code.

3. On or about February 7, 2014, the United States Trustee appointed an official committee of unsecured creditors (the “Committee”) in these cases. No trustee or examiner has been appointed.

4. The Court has jurisdiction over this matter pursuant to 28 U.S.C. § 1334(b).

5. Venue is proper pursuant to 28 U.S.C. §§ 1408 and 1409.

6. This matter is a core proceeding within the meaning of 28 U.S.C. § 157(b)(2).

7. The statutory predicates for the relief requested herein are section 105(a) of the Bankruptcy Code and Bankruptcy Rules 1005, 2002(m) and 2002(n).

II. Background

8. On May 27, 2014, the Court entered an Order Pursuant to 11 U.S.C. §§ 105, 363 and 365 and Rules 2002, 6004, 6006 and 9014 of the Federal Rules of Bankruptcy Procedure Authorizing and Approving (a) Sale of Substantially All of the Debtors’ Assets Free and Clear of Liens, Claims, and Encumbrances; (b) Assumption and Assignment of Certain Executory Contracts and Unexpired Leases; and (c) Granting Related Relief (the “Sale Order”), pursuant to which the Debtors were authorized to sell certain assets (the “Sale”).

9. Paragraph 32 of the Sale Order provides:

Notwithstanding anything contained in their respective organizational documents or applicable state law to the contrary, each of the Debtors is authorized, upon and in connection with the Initial Closing under the Sale Agreements, to change their respective names. Any amendment to the organizational documents (including the certificate of incorporation) of any of the Debtors to effect such name change is authorized and approved, without the necessity of board, member, shareholder or other approval. Upon any such change, the Debtors shall file with the Court a notice of change of case caption within ten (10) business days of the Initial Closing Date, and the change of case caption for these Cases shall be deemed effective as of the Initial Closing Date. From and after the Initial Closing Date, The Free Lance-Star Publishing Co. of Fredericksburg, VA shall be known as "VA Newspaper Debtor Co." and William Douglas Properties, LLC shall be and shall be known as "VA Real Estate Debtor LLC" and the case captions of the Cases shall be updated to reflect such names.

10. The Sale closed on June 19, 2014.

11. In accordance with the Sale Order following the closing, the Debtors have changed or are in the process of changing the Debtors' names. A list of these Debtors' names prior to, and after, the closing and subsequent name changes is attached as Exhibit B.

III. Relief Requested

12. By this Motion, the Debtors seek entry of an order, pursuant to section 105(a) of the Bankruptcy Code and Bankruptcy Rules 1005, 2002(m) and 2002(n), changing the caption of the Debtors' jointly administered cases. The Debtors submit that such modification is necessary pursuant to the terms of the Sale Order. The new caption will read as follows:

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
RICHMOND DIVISION**

In re:)	Case No. 14-30315-KRH
)	
VA NEWSPAPER DEBTOR CO., et al)	Chapter 11
)	
Debtors.)	(Jointly Administered)
)	
)	

13. In addition, the Debtors request that this Court authorize the Clerk of the United States Bankruptcy Court for the Eastern District of Virginia and other parties in interest to take whatever actions are necessary to update the ECF filing system and their respective records to reflect the name changes of the Debtors identified on Exhibit B. The Debtors also request that a docket entry, substantially similar to the following, be entered on the docket of William Douglas Properties, LLC:

An order has been entered changing the caption of the lead case in these jointly administered cases to In re VA Newspaper Debtor Co., et al., Case No. 14-30315-KRH. As a result of recent changes or anticipated changes to the names of the Debtors, the current or anticipated new names of the Debtors, and the Debtors' names before the name changes, are as follows: VA Newspaper Debtor Co. (f/k/a The Free Lance-Star Publishing Co. of Fredericksburg, VA) and VA Real Estate Debtor LLC (f/k/a/ William Douglas Properties, LLC)

Basis for Relief Requested

14. The requested change to the caption is necessary as a result of the closing of the Sale pursuant to the Sale Order. Accordingly, the Debtors have changed, or are in the process of changing, their names as identified on Exhibit B.

15. As a result, the Debtors seek to change the caption of the Debtors' jointly administered cases to accurately reflect the contemplated changes in their names and to avoid any confusion.

16. Thus, the Debtors submit that it is necessary and appropriate, and in the best interest of their estates, creditors, and other parties-in-interest to modify the caption of these jointly administered cases as set forth above.

V. Request for Waiver of Local Rule 9013-1(G)

17. The Debtors respectfully request that this Court treat this Motion as a written memorandum of points and authorities or waive any requirement that this Motion be

accompanied by a written memorandum of points and authorities as described in Local Rule 9013-1(G).

VI. Notice

18. Notice of this Motion has been provided to: (i) the Office of the United States Trustee for the Eastern District of Virginia; (ii) all parties requesting service of pleadings in these cases, including the Committee and DSP; and (iii) the Debtors' 20 largest unsecured creditors identified in the Chapter 11 petitions. The Debtors submit that no other or further notice need be provided.

WHEREFORE, the Debtors respectfully request that the Court (a) enter an order, substantially in the form annexed hereto as Exhibit A, granting the relief requested herein, and (b) grant such other and further relief as the Court may deem proper.

Dated: July 3, 2014
Richmond, Virginia

THE FREE LANCE-STAR PUBLISHING CO.
OF FREDERICKSBURG, VA and
WILLIAM DOUGLAS PROPERTIES, L.L.C.

By: /s/ Lynn L. Tavenner
Counsel

CERTIFICATE OF SERVICE

I hereby certify that on the 3rd day of July, 2014, a true and correct copy of the forgoing Motion was served by first class mail, postage prepaid, and/or electronic delivery to: the Office of the United States Trustee, the Debtors' 20 largest unsecured creditors as identified in their chapter 11 petitions, the Debtors' known secured creditors, any known legal counsel for the Debtors' secured creditors, and any party requested service of pleadings in these cases (all as listed on Schedule A attached hereto).

/s/ Lynn L. Tavenner

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EXHIBIT A

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
RICHMOND DIVISION**

In re:)	Chapter 11
)	
THE FREE LANCE-STAR PUBLISHING CO.)	
OF FREDERICKSBURG, VA <u>et al.</u> ¹ ,)	Case No. 14-30315-KRH
)	
)	(Jointly Administered)
Debtors.)	

**ORDER AUTHORIZING CHANGING THE CAPTION IN THE
DEBTORS' JOINTLY ADMINISTERED CASES**

Upon the motion (the “Motion”)² of the above-captioned debtors and debtors-in-possession (collectively, the “Debtors”) for entry of an order (the “Order”), pursuant to section 105(a) of title 11 of the United States Code, 11 U.S.C. §§ 101–1532 (as amended, the “Bankruptcy Code”) and Rules 1005, 2002(m) and 2002(n) of the Federal Rules of Bankruptcy Procedure (the “Bankruptcy Rules”), authorizing changing the caption of the Debtors’ jointly administered cases, the Court finds that: (i) it has jurisdiction over the matters raised in the Motion pursuant to 28 U.S.C. § 1334(b); (ii) this is a core proceeding pursuant to 28 U.S.C. § 157(b)(2); (iii) the relief requested in the Motion is in the best interest of the Debtors, their estates and their creditors; (iv) proper and adequate notice of the Motion and the hearing thereon

¹ The last four digits of the Debtors’ respective taxpayer identification numbers are The Free Lance-Star Publishing Co. of Fredericksburg, VA (6580); and William Douglas Properties, LLC (2609). The Debtors’ address is 616 Amelia Street Fredericksburg, VA 22401.

² Capitalized terms used but not otherwise defined herein shall have the meanings set forth in the Motion.

has been given and that no other or further notice is necessary; and (v) upon the record herein, after due deliberation thereon, good and sufficient cause exists for the granting of the relief set forth herein. Therefore,

IT IS HEREBY ORDERED THAT:

1. The Motion is **GRANTED**.
2. The caption of the Debtors' jointly administered cases shall be modified to reflect the changes to the names of the Debtors identified on Exhibit B to the Motion.
3. The caption of the Debtors' jointly administered cases shall read as follows:

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
RICHMOND DIVISION**

In re:)	Case No. 14-30315-KRH
)	
VA NEWSPAPER DEBTOR CO. et al)	Chapter 11
)	
Debtors.)	(Jointly Administered)

4. The Clerk of the United States Bankruptcy Court for the Eastern District of Virginia and other parties in interest are authorized to take whatever actions are necessary to update the ECF filing system and their respective records to reflect the anticipated name changes of the Debtors identified on Exhibit B to the Motion.

5. A docket entry shall be made in the case of each of William Douglas Properties, LLC substantially as follows:

An order has been entered changing the caption of the lead case in these jointly administered cases to In re VA Newspaper Debtor Co., et al., Case No. 14-30315-KRH. As a result of recent changes or anticipated changes to the names of the Debtors, the current or anticipated new names of the Debtors, and the Debtors' names before the name changes, are as follows: VA Newspaper Debtor Co. (f/k/a The Free Lance-Star Publishing Co. of Fredericksburg, VA) and VA Real Estate Debtor LLC (f/k/a/ William Douglas Properties, LLC)

6. The Debtors are authorized to take all actions necessary to effectuate the relief granted pursuant to this Order in accordance with the Motion.

7. The terms and conditions of this Order shall be immediately effective and enforceable upon its entry.

8. This Court shall retain jurisdiction with respect to all matters arising from or related to the implementation of this Order.

Dated: Richmond, Virginia

_____, 2014

United States Bankruptcy Judge

WE ASK FOR THIS:

/s/
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Paula S. Beran (Va. Bar No. 34679)
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—and—

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Counsel to DSP Acquisitions, LLP

EXHIBIT B

	Old Name	New Name
1.	The Free Lance-Star Publishing Co. of Fredericksburg, VA	VA Newspaper Debtor Co.
2.	William Douglas Properties, LLC	VA Real Estate Debtor LLC